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5 Attorney for Defendant RUSSELL TAYLOR OTT

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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10

11 UNITED STATES OF AMERICA,

No. CR 17 533 EMC

12 Plaintiff,

**NOTICE OF MOTION AND MOTION TO
MODIFY RELEASE BOND**

13 v.

14 RUSSELL TAYLOR OTT,

Date: July 9, 2018

Time: 11:00 a.m.

Crtrm: A (Magistrate Judge Sallie Kim)

15 Defendant.
16 _____/

17 **TO: THE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF**
18 **CALIFORNIA; ASSISTANT UNITED STATES ATTORNEYS KEVIN BARRY**
19 **AND MEREDITH OSBORNE; AND TO THE CLERK OF THE ABOVE-**
ENTITLED COURT:

20 **PLEASE TAKE NOTICE** that on July 9, 2018, at 11:00 a.m., or as soon thereafter as
21 the matter can be heard in Courtroom A of the above entitled Court, Defendant, RUSSELL
22 TAYLOR OTT, through his attorney, will move the Court to modify his release bond to allow
23 him to move from the GEO Care Residential Reentry Center (GEO Care Center) at 111 Taylor
24 Street, otherwise known as the halfway house, to the residence of Susan Madieros in Santa Rosa,
25 California.

26 This motion is based on this Notice, the records and files in this action, all applicable law,
27 and on such further pleadings and arguments as may be presented before and at the hearing of
28 this matter.

**MOTION FOR MODIFICATION
OF BOND**

1 Defendant RUSSELL TAYLOR OTT was arrested in late November of 2017. He was
2 originally ordered detained in December, 2017. (Dkt. Nos. 77, 85) On May 10, 2018 Defendant
3 OTT requested the Court to reconsider the earlier detention order based upon new information.
4 (Dkt. No. 262) On May 15, 2018, the Court set release conditions for Mr. OTT based on a
5 secured bond of \$510,000. (Dkt. No.266) With the posting of the security, Mr.OTT was released
6 to the halfway house on Monday, May 21, 2018.

7 The sureties for Mr. OTT's bond are Carol Roseborough, Terry Ott, and Kim Ott.
8 Defendant OTT's original release proposal included Mr. OTT's ex-wife, Susan Madieros, as a
9 potential surety, and a suggested release plan that Mr. OTT could live at her Santa Rosa
10 residence. (Dkt. No. 262, pages 6-7) Susan Madieros works for Redwood Toxicology in Santa
11 Rosa. The Court chose to release Mr. OTT to the halfway house, at least for the time being. Mr.
12 OTT is now renewing the request to reside with Ms. Madieros in Santa Rosa.

13 Mr. OTT's release conditions are essentially that he be on GPS lockdown at the halfway
14 house, verified by an ankle monitor. Mr. OTT is allowed to leave the halfway house with the
15 permission of United States Pretrial Service for legal and medical appointments, or for judicially
16 approved purposes or occasions. Mr. OTT's time out of the halfway house has been to meet with
17 his lawyer, attend court, secure his California driver's license, square away his Social Security
18 and Medi-Cal, attend a medical appointment, and to recently attend a funeral service. Mr. OTT
19 has been in complete compliance with his release conditions, and has been consistently timely in
20 returning to the halfway house after his various departures.

21 United States Pretrial Services officer Josh Libby is supervising and monitoring Mr.
22 OTT. Mr. Libby has visited the residence of Susan Madieros in Santa Rosa and spoken to her
23 about Mr. OTT living at the residence while he is on pretrial release. Ms. Madieros lives in single
24 family home that she rents, and Mr. OTT would have his own bedroom while staying at the
25 residence. Mr. Libby has no objection to Mr. OTT living at the residence rather than the halfway
26 house, providing that Ms. Madieros sign the release bond as a custodian. Ms. Madieros is willing
27 to sign the bond as both a custodian and surety, and will attend the court proceedings on this
28 motion.

1 Mr. OTT is requesting the Court to modify his bond such that he can live with Ms.
2 Madieros, understanding that he will continue to be on GPS lockdown while staying at the
3 residence, only able to leave the residence for specifically defined purposes.

4 For the Court's information, the diagnosis of high blood pressure for Mr. OTT has been
5 confirmed by the South of Market Health Center, and he has been prescribed medication for the
6 condition. Diagnosis and treatment of his diabetes, shoulder problem, and his dental issues are
7 still in the works. Blood tests are still being analyzed as to the diabetes.

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9 Dated: July 6, 2018

Respectfully submitted,

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/s/

12 ROBERT WAGGENER
13 Attorney for Defendant
14 RUSSELL TAYLOR OTT
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